

**FILED**UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

## UNITED STATES DISTRICT COURT

for the

District of New Mexico

DEC 04 2012

*mlg*

MATTHEW J. DYKMAN

CLERK

Case No. 12-MJ-3057United States of America  
v.Gordon Chavez  
Year of Birth: 1977  
SSN: XXX-XX-9060*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 26, 2012 in the county of Bernallilo in the  
District of New Mexico, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
Title 18 U.S.C. § 242	Deprivation of Rights

This criminal complaint is based on these facts:  
See Attached Affidavit hereby incorporated by reference as if fully restated herein.

☒ Continued on the attached sheet.*Victoria Vaughan*  
Complainant's signature*Victoria Vaughan, Special Agent*  
Printed name and title

Sworn to before me and signed in my presence.

Date: 12-4-12

ROBERT HAYES SCOTT

City and state:

UNITED STATES MAGISTRATE JUDGE

*Robert H. Scott*  
Judge's signatureROBERT HAYES SCOTT  
Printed name and title  
UNITED STATES MAGISTRATE JUDGE

GCM/AUSA

NEW MEXICO

ALBUQUERQUE, NEW MEXICO

United States of America )

vs )

Gordon Chavez )

DATE OF BIRTH: 1977

Social Security Number XXX-XX-9060

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AFFIDAVIT

1) I am a regularly appointed Special Agent (SA) for the Federal Bureau of Investigation (FBI) since August 2009, and investigate civil rights crimes, i.e. deprivations of rights under color of law. The following facts were determined during the course of an investigation conducted by agents of the FBI.

2) The Victim and Subject involved in this investigation will be hereinafter referred to as follows:

A. Victim

1. Jane Doe

B. Subjects

1. Gordon Chavez, age 48 ("Chavez" - Year of Birth 1977).

3) The subject currently serves as probation officer for the State of New Mexico Department of Probation and Parole. While serving in that capacity, the subject is acting under color of law.

4) The victim is on parole for a felony offense. The subject has been supervising the victim since May 2012.

5) During the course of supervision, the subject conducted visits to the victim's place of residence, required the victim to meet with him at the subject's office, and the subject regularly called the victim on her cellular phone.

6) During the course of the supervision, the subject began commenting on the victim's appearance and flirtatiously asking about the clothes she was wearing. Subject also asked Doe if she was sexually active, asked about sexual positions, and asked "who she did that weekend."

7) During office visits, the subject stared at the victim's breasts through her clothing and did so while rubbing his own genital area through his pants.

8) During an office visit on November 26, 2012, the subject reached inside the victim's shirt and bra and groped and fondled the victim's breast. The subject then removed the victim's breast from her shirt and bra. This was all against the victim's will.

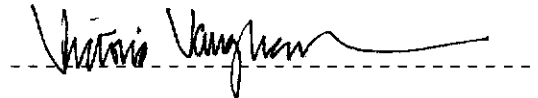
9) During the same office visit, the subject asked the victim about the color of her underwear. When the victim did not answer, the subject, the subject asked the victim to bring pictures of herself wearing only her underwear.

10) During an audio-recorded office visit on November 30, 2012, the subject asked the victim to bring naked pictures of herself.

11) During an audio-recorded office visit on December 3, 2012, the subject apologized to the victim for touching her "tits," and acknowledged that his actions were wrong.

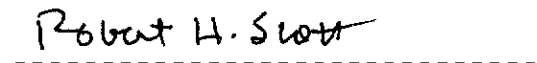
12) Based on the above, your affiant submits that probable cause exists to believe Gordon Chavez committed the following offenses: Deprivation of Rights, that is while acting under color of law, Chavez did willfully deprive Jane Doe of a right secured and protected by the Constitution and laws of the United States; that is, the right not to

be deprived of liberty without due process of law, which includes the right to bodily integrity. Specifically, the subject engaged in sexual contact as defined in Title 18, United States Code, Section 2246(3). All in violation of Title 18, United States Code, Section 242.

A handwritten signature in black ink, appearing to read "Victoria Vaughan", written over a horizontal dashed line.

Special Agent Victoria Vaughan  
Federal Bureau of Investigation

Subscribed and sworn before me on  
this 4th day of December, 2012

A handwritten signature in black ink, appearing to read "Robert H. Scott", written over a horizontal dashed line.  
United States Magistrate Judge